

Legal and Veterans' Affairs

PUBLIC 516 An Act To Increase the Sale of Lottery Tickets To Benefit LD 578
Conservation and Wildlife

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM MAJ	H-635
BRYANT	ONTP MIN	

Public Law 2003, chapter 516 increases the sales commission paid to agents for the sale of wildlife lottery game tickets to benefit the Maine Outdoor Heritage Fund so that it is one percentage point higher than the sales commission paid to lottery agents for the sale of other instant tickets.

PUBLIC 569 An Act To Make Polling Places More Convenient LD 1639

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY	OTP-AM	

Public Law 2003, chapter 569 provides a town with the option to conduct an election at the usual locations instead of at a single location when a town meeting is being conducted for the exclusive purpose of voting by secret ballot.

PUBLIC 577 An Act To Reduce the Voting Age Qualification for State Primary LD 640
Elections for Voters Who Will Reach 18 Years of Age by the Time
of the General Election

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS	OTP-AM MAJ	H-637
GAGNON	ONTP MIN	

Public Law 2003, chapter 577 amends current law to allow someone who is not yet 18 years of age, but will be at the time of a general election, to vote in the immediately preceding primary election for the selection of candidates.

PUBLIC 579 An Act to Allow Beverage Sales from Mobile Service Bars on Golf LD 656
Courses

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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWNE	OTP-AM MAJ	H-636
MAYO	ONTP MIN	

Public Law 2003, chapter 579 permits the Department of Public Safety, to license golf courses to serve malt liquor on courses from mobile service bars. The annual license fee for a mobile service bar is \$100. It requires that a licensee ensure that malt liquor is served to only those engaged in a round of golf and that the operator of a mobile service bar successfully complete an alcohol server education course. Chapter 656 requires that the department revoke a license for a mobile service bar for violation of the liquor laws or any rule adopted by the department. The law also specifies that an operator of a mobile service bar must be at least 21 years of age, must have the ability to immediately contact the golf course's on-premises establishment for assistance when needed and specifies that a patron of the golf course who operates a golf cart may not transport open containers of malt liquor across a public way. Chapter 656 is repealed on January 1, 2006.

PUBLIC 583 An Act To Update Laws Affecting the Military

LD 1752

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK	OTP-AM	H-752
CANAVAN		

Public Law 2003, chapter 583 makes the following changes to laws pertaining to the Department of Defense, Veterans and Emergency Management.

1. Changes the number of consecutive days of active state service required for Maine National Guard members to be eligible to participate in the Maine State Retirement System from 15 to 5.
2. Provides for the extension of temporary guardianship until 30 days after active duty orders expire for a child whose parent is a member of the National Guard or the Reserves of the United States Armed Forces, is on active duty for more than 30 days, and has been ordered to duty without consent or ordered to duty during a period of war or national emergency.
3. Clarifies that the extension of power of attorney until 30 days after active duty orders expire for a child who is on active duty for more than 30 days, and has been ordered to duty without consent or ordered to duty during a period of war or national emergency, applies to members of the National Guard as well as members of the Reserves of the United States Armed Forces.
4. Repeals the law that allows a commissioned officer of the National Guard to retire from service at one grade higher than the grade that he or she earned.
5. Repeals the authority of a commanding officer of troops to order the closing of a place where intoxicating beverages, arms, ammunition, or explosives are sold.

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6. Amends the law regarding paid leave provided to state employees who are members of the Guard or the Reserves, so that eligibility criteria for the paid leave specifies that the member is performing military duty rather than military training.

PUBLIC 584 An Act To Amend the Election Laws

LD 1755

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK	OTP-AM	H-753

Public Law 2003, chapter 584 designates the electronic form of a voter's signature and identification number, which are used as unique identifiers in the centralized voter registration system, as nonpublic records that will be available for inspection only by certain persons. Hard copies of voter signatures and identification numbers and associated records are public records. Chapter 584 decreases from 5 years to 2 years the time that voter registration records must be kept for a voter whose name has been removed from the voting list.

It clarifies that voters who register in person before the municipal registrar of voters must complete an application that contains the information required in the Maine Revised Statutes, Title 21-A, section 152 or 154. The law removes the restriction that a student election clerk may assist a voter only if the voter specifically requests assistance from the student election clerk and removes obsolete language specifying the format of the write-in spaces for a presidential preference primary ballot and deletes the requirement that nominees' names must appear on a ballot in block capital letters. Chapter 584 adds a requirement that the notice of election must be posted at the polls on election day, in compliance with the federal Help America Vote Act of 2002. The law allows election officials to open the packages of official ballots one hour before the polls open, instead of the 1/2 hour that is currently specified and clarifies that the election clerk in charge of the incoming voting list may make a horizontal red line beside the voter's name on the voting list to indicate that a voter has voted.

PUBLIC 590 An Act To Authorize the STARBASE Program

LD 1690

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	OTP-AM	S-423

Public Law 2003, chapter 590 authorizes the establishment of a STARBASE program in this State. STARBASE is a science, mathematics and technology academic enrichment program funded by the federal Department of Defense. The law authorizes the Adjutant General to hire a director and other employees to operate the program.

PUBLIC 615 An Act To Amend the Laws Governing Campaign Finance

LD 1339

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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CANAVAN GAGNON	OTP-AM	H-828

Public Law 2003, chapter 615 defines payment made to a 3rd party who is not an employee of a candidate, a candidate's political committee, a party committee or a political action committee as expenditures for the purpose of reporting and requires that expenditures made to such a person be itemized by the amount of, reason for and date of the expenditure. Chapter 615 strikes a provision in current law that prohibits a broadcasting station within this State from broadcasting a communication made by a political action committee expressly advocating the election or defeat of a candidate unless that communication includes a statement that indicates that a copy of the report is available from the Commission on Governmental Ethics and Elections Practices. The communication is still required to include the name and address of the political action committee that financed the communication.

PUBLIC 628 An Act To Amend the Penalty Provisions and Reporting Deadlines LD 1728 of the Campaign Reports and Finances Laws

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON	OTP-AM MJA OTP-AM MIN	S-470

Public Law 2003, chapter 628 provides greater flexibility to the Commission on Governmental Ethics and Election Practices to reduce the statutory penalties for the late filing of campaign finance reports. It removes the Class E crime designation from the failure of a candidate or treasurer to file required campaign finance reports. It replaces that provision by stating that the failure to file a report is subject to the same penalties as for failing to file a report on time. It also makes technical changes to the bill to clarify penalty provisions for party committees that fail to file a report or fail to file a report on time by correcting cross-references. It also reinstates a schedule for municipal, district and county party committees to file campaign finance reports that was inadvertently repealed in a bill passed during the First Regular Session of the 121st Legislature. Finally, chapter 628 shortens the deadline for the reporting of large campaign contributions and expenditures from within 48 hours of the contribution or expenditure to within 24 hours.

PUBLIC 639 An Act To Amend the Law Governing the Storage of Spirits LD 1881

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO CLARK	OTP-AM	S-469

Public Law 2003, chapter 639 establishes an off-site storage facility license to an agency liquor store with a federal and state license permitting the agency liquor store to sell spirits to an on-premise licensee licensed for on-premises consumption. It specifies that an off-site storage facility may be used only for the storage of spirits and

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that the sale of spirits to on-premises licensees must be transacted at the retail store location. It also requires that a licensed reselling agent's off-site storage facility must be located within 30 miles of the retail store location. Such an agency liquor store may maintain only one off-site storage facility.

PUBLIC 646 **An Act To Clarify the Administrative and Financial Relationship** **LD 1951**
EMERGENCY **between the Maine Military Authority and the State of Maine**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK GAGNON		

Public Law 2003, chapter 646 accomplishes the following.

1. Changes the administrative status of the Maine Military Authority from a public instrumentality of the State to an agency within the Executive Department.
2. Clarifies the administrative and financial relationship between the Maine Military Authority and the State and the employment, accounting and budget procedures governing the Maine Military Authority with the status change to an Executive Department agency.
3. Requires the Maine Military Authority to preserve existing terms and conditions of employment for employees of the Maine Military Authority and the management practices relating to the terms and conditions of their employment to the greatest extent possible with the status change to an Executive Department agency, consistent with the Civil Service Law and the state employee laws governing labor relations.
4. Provides that employees hired after the effective date of this law have the same rights and benefits as employees transferred to the Executive Department at the time of the status change.
5. Requires that agreements between the Maine Military Authority and the bargaining agents in effect at the time of the Authority's status change to an Executive Department agency must be maintained for bargaining unit personnel until changed in accordance with applicable labor law principles.

Public Law 2003, chapter 646 was enacted as an emergency measure and took effect April 14, 2004.

PUBLIC 651 **An Act To Ensure the Accurate Counting of Votes** **LD 1759**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE MAYO	OTP-AM MAJ ONTP MIN	H-842

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Public Law 2003, chapter 651 defines "direct recording electronic voting machine," "mechanical lever voting machine" and "punch card voting machine." It requires that any voting machine used in the State produce a paper audit trail. It also bans the use of mechanical lever voting machines and punch card voting machines. Chapter 651 further prohibits the networking of voting machines and prohibits Internet voting. This law requires the Secretary of State to report to the joint standing committee of the Legislature having jurisdiction over statewide election matters by January 15, 2005 on the progress made to implement the accessible voting equipment requirements of the federal Help America Vote Act of 2002. It also places a moratorium on the purchase and approval of direct recording electronic voting machines, or other voting systems equipped for individuals with disabilities, until March 1, 2005.

PUBLIC 687 An Act To Establish the Gambling Control Board To License and LD 1820 Regulate Slot Machines at Commercial Harness Racing Tracks

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMOINE	OTP-AM MAJ	H-868
GAGNON	OTP-AM MIN	S-515 MAYO
		S-519 MAYO

Public Law 2003 chapter 687 amends Initiated Bill 2003, chapter 1 as approved by the voters at referendum in November 2003, which allowed for the operation of slot machines at commercial harness racing tracks.

Public Law 2003, chapter 687 provides that commercial tracks are eligible for a slot machine license if the municipality where the slots will be operated approved the operation of slot machines at referendum by December 31, 2003. Under this law, a commercial track with a slot machine license must continue to conduct harness racing as a condition of operating slot machines. The initial license for slot machine operators and distributors is \$200,000 with an additional fee for operators of \$75,000, \$25,000 of which goes directly to the host municipality. This law provides for municipal approval for the renewal of a slot machine license requires the slot machine operator to enter into an agreement with the host municipality that provides for the revenue sharing and security plan for the licensed facility.

Public Law 2003, chapter 687 creates a five-member Gambling Control Board within the Department of Public Safety to regulate the operation, distribution, maintenance and licensing of slot machines at commercial harness racing tracks. Members of the Gambling Control Board are appointed by the Governor and approved by the Senate. This law creates a framework through which the board will regulate and monitor slot machine operators, distributors and gambling service providers and their employees. The board must employ a central site monitoring system that allows only the board or its contractors to program the machines as part of the regulatory framework. This system must be compatible with all slot machines licensed for operation in the state and use widely accepted gaming industry protocol to facilitate the slot machine manufacturers ability to communicate with the central monitoring system.

Under this law the total number of slot machines that may be registered in the state is 1500. The payback percentage to the players must be 89% and the use of credit or debit cards to play slot machines is prohibited. One percent of the amount deposited by persons playing the slot machines, the "coin-in", must be allocated to the General Fund for the administrative costs of the Gambling Control Board. The remaining 10%, the total gross slot machine income, is divided as follows:

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Sixty-one percent to the slot machine operator;

Three percent to the General Fund for administrative expenses of the board, including gambling addiction counseling services;

Ten percent to supplement harness racing purses;

Three percent to the Sire Stakes Fund;

Three percent to the Agricultural Fair Support Fund;

Ten percent to the Fund for a Healthy Maine for prescription drug benefits;

Two percent for University of Maine System scholarships;

One percent for Maine Community College System scholarships;

Four percent to the Fund to Encourage Racing at Maine's Commercial Tracks;

Two percent to the Fund to Stabilize Off-track Betting Facilities, to be reduced to 1% after 4 years with the remaining 1% going back to the General Fund; and

One percent to the host municipality.

RESOLVE 99 Resolve, Authorizing the City of Biddeford To Consolidate Voting LD 1827
EMERGENCY Districts for a Special Election in House District 18 in 2004

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL LAFOUNTAIN		

Resolve 2003, chapter 99 authorized the City of Biddeford, with the approval of the city council, to consolidate voting districts for the purpose of holding a special election in House District 18 in 2004

This resolve was finally passed as an emergency measure and took effect on January 9, 2004.

RESOLVE 117 Resolve, Directing the Secretary of State To Study the Feasibility of LD 212
Instant Run-off Voting

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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL	OTP-AM MAJ	H-751
DAGGETT	ONTP MIN	

Resolve 2003, chapter 117 directs the Secretary of State to study the feasibility of implementing a system of instant run-off voting for the conduct of elections in the State.

RESOLVE 136 Resolve, Regarding Legislative Review of Portions of Chapter 1: LD 1868
Procedures and Portions of Chapter 3: Maine Clean Election Act
and Related Provisions, Major Substantive Rules of the
Commission on Governmental Ethics and Election Practices

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-835
	OTP-AM MIN	S-503 GAGNON
		S-504 MAYO

Resolve 2003, chapter 136 authorizes final adoption and directs the Commission on Governmental Ethics and Election Practices to make the following changes to its major substantive rules:

1. In Chapter 1, section 5, with regard the to the advance purchases of goods and services, the language must be changed to require that consulting services or the design, printing or distribution of campaign literature or advertising contracted or paid for prior to the primary election must be received prior to the primary election. The provision must also require that if a preponderance of the items purchased during the primary election cycle are used during the general election cycle, then the candidate or any other person required to file a report to the Commission on Governmental and Ethics and Election Practices shall report these as expenditures made during the general election cycle.
2. In Chapter 3, section 6, subsection 4, with regard to distribution of funds to certified Maine Clean Election Act candidates, subparagraphs (1) and (2) under paragraph A must be changed to state that if the preponderance of consulting services or the design, printing or distribution of campaign literature and advertising purchased prior to the primary election by an opponent of a certified Maine Clean Election Act candidate are used for the general election, then the certified Maine Clean Election Act candidate is entitled to a corresponding amount of matching funds.

Chapter 136 further specifies that the effective date of the rules adopted in accordance with this resolve may not be until after January 1, 2005.